

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7159**

**BILL NUMBER:** SB 303

**NOTE PREPARED:** Apr 15, 2009

**BILL AMENDED:** Feb 23, 2009

**SUBJECT:** Adoption Records.

**FIRST AUTHOR:** Sen. Miller

**FIRST SPONSOR:** Rep. L. Lawson

**BILL STATUS:** As Passed House

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** No Fiscal Impact

**Summary of Legislation:** (Amended) This bill requires a person that is required to store, maintain, or release certain adoption records or other adoption information to store and maintain the records or other information for at least 99 years from the date the adoption is filed, unless the records or other information are transferred to the State Registrar. The bill specifies that certain records may be automatically transferred to the State Registrar. This bill also provides that the adoption records or other adoption information may be stored and maintained in an electronic or other format.

The bill also requires the Department of Child Services to consider a child who is two years of age or older a hard to place child for determining eligibility for state adoption subsidies.

**Effective Date:** July 1, 2009.

**Explanation of State Expenditures:**(Revised) *Summary:* DCS reports that increasing the population of hard to place children who are eligible for state adoption subsidies will not increase state expenditures at this time. It was reported that currently there is no funding source for the State Adoption Subsidy (SAS) program.

(Revised) *Background Information:* The bill expands the population of hard to place children in determining eligibility for State Adoption Subsidies. The Department of Child Services (DCS) reports that currently they consider a child hard to place who is 10 years of age or older. Under the bill, children 2 years of age or older would be eligible for state adoption subsidies.

A search of DCS's website containing information on the children who are eligible for adoption through the

Department revealed that currently there are 86 children eligible for adoption between the ages of 2 and 18. Of these children, 70 children are between the ages of 10 and 18, and 16 children are between the ages of 2 and 9.

DCS reports the State Adoption Subsidy program is the result of HEA 1001-2008 where the county adoption subsidy program was transferred to the state and renamed. No funding source was designated when the county program was transferred to the state. Additionally, funding is not requested for the program in the current biennial budget.

When an adoption concerning DCS occurs, the court in which the adoption is finalized houses all related adoption records. The Division of State Court Administration reports that adoption records are also required to be maintained permanently.

The State Department of Health (ISDH) reports that currently they maintain all birth, death, and adoption records indefinitely. Any costs associated with storing adoption records for the specified time period would already be incurred by ISDH. The bill will not impact operations regarding record-keeping in the ISDH.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** ISDH; DCS.

**Local Agencies Affected:**

**Information Sources:** Scott Zarazee, ISDH; Ann Houseworth, DCS; Loretta Oleksy, Division of State Court Administration; [http://www.in.gov/dcs/adoption/search\\_children1.htm](http://www.in.gov/dcs/adoption/search_children1.htm); Ellen Holland, DCS.

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